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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,892	11/04/2003	Chao-Kang Li	AOIP0008USA	2891

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NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION  
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EXAMINER
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HAWK, NOAH CHANDLER

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/605,892	<b>Applicant(s)</b> LI, CHAO-KANG	
	<b>Examiner</b> Noah C. Hawk	<b>Art Unit</b> 3637	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____  | 6) <input type="checkbox"/> Other: ____                                     |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3 and 11 are rejected under 35 U.S.C. 112, second paragraph because of the phrases, common to both claims, "plurality of positioning holes" and "plurality of positioning bumps." Since these features have been recited in parent claims 1 and 9, they are duplicate features which should be removed. If the applicant wishes to recite additional positioning holes and positioning bumps, Claims 3 and 11 should be phrased as such.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 7, 9, 10, 12, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Le et al. in US Patent 6293636.
3. Regarding Claim 1, Le et al. teach a storage device fastening apparatus, the storage device having a plurality of first holes (138), the apparatus comprising a frame (102) installed inside a casing (152) with a plurality of second holes (140), a second hook (182) located on the side of the frame not facing the storage device, a fastening base (194) detachably installed on the frame having a plurality of bumps (198) formed

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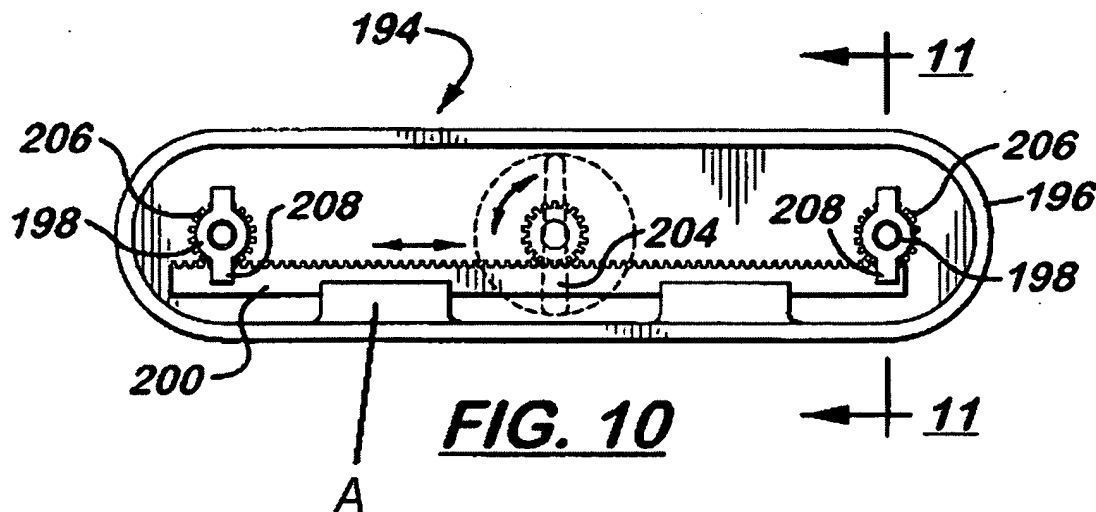
at positions corresponding to the second holes for penetrating through the second holes and into the first holes and a sliding portion (202) movably installed on the fastening base having a first hook (208) wherein the sliding portion is capable of residing at a first position and a second position so that the first hook is separated from the second hook in the first position and the first hook and the second hook are fastened to each other in the second position (see Le et al., column 8, lines 15-19).

4. Regarding Claim 9, Le et al. further teach a storage device fastening apparatus, the storage device having two sides with a plurality of first holes (138) on each side, the apparatus comprising a first frame (128) with at least a first loading portion (best seen in Figure 3, 136) and a plurality of first elastic bodies with bumps (see Le et al., column 5, lines 5-12) corresponding to a first hole on one side of the storage device.

5. Regarding Claims 2 and 10, Le et al. further teach a frame (126) comprising at least a loading portion (best seen in Figure 9, 136) on the side of the frame facing the storage device for loading the storage device.

6. Regarding Claims 4 and 12, Le et al. further teach a sliding portion (202) having a first track (200) and a fastening base (194) having a second track (A) corresponding to the first track so that the sliding portion moves with respect to the fastening base along the first and second tracks between the first and second positions.

7. Regarding Claims 7 and 15, Le et al. further teach a fastening base (194) with a first stop block and second stop block (180) on the fastening base for preventing the sliding portion from detaching from the fastening base during movement (see Le et al., column 7, lines 29-32).



Le et al. Figure 10

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le et al. as applied to claims 1 and 9 above. Le et al. disclose a fastening base (194) with a plurality of bumps (198) fitting into holes (140) which also act as a positioning system. Because the fastening base will be installed onto a planar frame, two or more bumps and holes are sufficient to provide a means for positively positioning the base on the frame but an increased number of bumps and holes would provide additional

positioning means. It would have been obvious to one of ordinary skill in the art at the time of invention to better secure the storage device by using multiple positioning bumps and positioning holes as taught by Le et al.

10. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le et al. as applied to claims 1 and 9 above, and further in view of Feder in US patent 4114000. Le et al. do not disclose a fastening base with a sliding positioning bump or a sliding portion with a first or second positioning hole. Feder discloses a fastening base (47) with an elastic body (44) with a sliding positioning bump (51a) and a sliding portion (55) with a first positioning hole (58) and a second positioning hole (59). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Le et al. by using a fastening base with a sliding positioning bump and a sliding portion with two positioning holes as taught by Feder in order to provide another method of holding the sliding portion in position.

11. Claims 6, 8, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le et al. as applied to claims 1, 7, 9 and 15 above, and further in view of Chen et al. in US patent 6390575.

12. Regarding Claims 6 and 14, Le et al. do not disclose a first assembly error prevention assembly or a second assembly error prevention structure. Chen et al. disclose a sliding device with a sliding portion (1) having a first assembly error prevention device (B) attached to a fastening base (3) with a second assembly error prevention device (35). It would have been obvious to one of ordinary skill in the art at

Chen et al. Figure 1

**Conclusion**

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Davis et al., Williams et al., Chen et al. in US Patent Application Publication US 20050078445 A1, and XU disclose two-part storage device fastening apparatuses. Chen et al. in US Patent 6798653, Chen in US Patent 6388875, Boe, Hooper et al., McAnally et al., and Johnson disclose storage device fastening apparatuses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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8/17/05

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SUPERVISORY PATENT EXAMINER  
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